

ARTICLE XXIII

REPEAL, INTERPRETATION, SEVERABILITY, PENALTIES, RIGHTS AND REMEDIES, GENERAL RESPONSIBILITY, AND ENACTMENT AND EFFECTIVE DATE

SECTION 23.00 REPEAL OF PRIOR ORDINANCES

The zoning ordinance previously adopted by Rollin Township, and all amendments thereto, are, on the effective date of this Ordinance, hereby repealed. The repeal of the above ordinances and their amendments does not affect or impair any act done, offense committed or right accruing, or accrued, or acquired, or liability, penalty, forfeiture or punishment incurred prior to the time enforced, prosecuted or inflicted.

SECTION 23.01 INTERPRETATION

In the interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements adopted for the promotion of the public health, morals, safety, comfort, convenience, or general welfare. It is not intended by this Ordinance to repeal, abrogate, annul, or in any way to impair or interfere with any existing provision of law or ordinance other than the above-described zoning ordinances, or with any rules, regulations or permits previously adopted or issued or which shall be adopted or issued pursuant to the law relating to the use of buildings or premises; provided, however, that where this ordinance imposes a greater restriction than is required by existing ordinances or by rules, regulations or permits, the provisions of this Ordinance shall control. Nothing in this Ordinance should be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular use, district, zoning classification of any permissible activities therein; and, they are hereby declared to be subject to subsequent amendment, change or modification as may be necessary to the preservation or protection of public health, safety and welfare.

SECTION 23.02 SEVERABILITY

This ordinance and the various parts, sections, subsections, phrases and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section, subsection, phrase or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of this Ordinance shall not be affected thereby. The Township Board hereby declares that it would have passed this Ordinance, and each section, subsection, phrase, sentence and clause thereof, irrespective of the fact that any one or more sections, subsections, phrases, sentences or clauses be declared invalid.

SECTION 23.03 VIOLATION-PENALTY

Any person, firm or corporation, including but not by way of limitation, builders and contractors who shall violate, neglect, or refuse to comply with or who resists the enforcement of any of the provisions of this Ordinance or conditions of the Board of Appeals or Township Board adopted pursuant thereto, on conviction thereof, shall be punished by a fine not to exceed five hundred dollars (\$500.00) and costs of prosecution, or by being imprisoned in the county jail for not more than ninety (90) days, or both such fine and imprisonment at the discretion of the court. Each day that a violation

is permitted to exist shall constitute a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this ordinance, uses of land, and dwellings, buildings, or structures, including tents, trailer coaches and mobile homes, used, erected, altered, razed, or converted in violation of any provision of this ordinance, are hereby declared to be a nuisance per se. The court may order such nuisance abated and the owner and/or agent in charge of such dwelling, building, structure, tent, trailer coach, mobile home, or land may be adjudged guilty of maintaining a nuisance per se, and same may be abated by order of any court of competent jurisdiction.

SECTION 23.04 RIGHTS AND REMEDIES

The rights and remedies provided herein are cumulative and in addition to any other remedies provided by law.

SECTION 23.05 GENERAL RESPONSIBILITY

The Township Board or its duly authorized representative is hereby charged with the duty of enforcing the ordinance and the Board is hereby empowered, in the name of Rollin Township to commence and pursue any and all necessary and appropriate actions and/or proceedings in the circuit court of Lenawee County, Michigan, or any other court having jurisdiction, to restrain and/or prevent any non-compliance with or violation of any of the provisions of this ordinance, and to correct, remedy and/or abate such non-compliance or violation. It is further provided that any person aggrieved or adversely affected by such a non-compliance or violation may institute suit and/or join the Township Board in such a suit to abate the same.

SECTION 23.06 ENACTMENT AND EFFECTIVE DATE

The foregoing zoning ordinance and zoning map were adopted at a regular meeting of the Rollin Township Board, held at the Rollin Township Hall in said Township after approval of the same by the Rollin Township Zoning Board Commission, following a public hearing on September 27, 1973. Said ordinance was ordered published in the Bi-County Herald newspaper having general circulation in Rollin Township, Lenawee County, Michigan, pursuant to the requirements of Act 191 of the Public Acts of Michigan for the year 1939, as amended. This ordinance shall become effective thirty (30) days after the date of such publication.

Revised: November 2006